

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

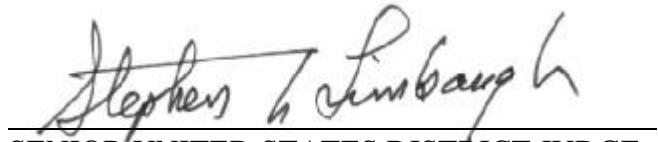
DAVID MONTALVO, on behalf of Himself)
and All Others Similarly Situated,)
)
Plaintiffs,)
)
vs.) Case No. 4:03CV995SNL
)
TRIPPOS, INC., JOHN P. MCALISTER,)
B. JAMES RUBIN, and)
ERNST & YOUNG, L.L.P.,)
)
Defendants.)

ORDER

In accordance with the memorandum filed herein this date,

IT IS HEREBY ORDERED that defendant Ernst & Young's motion to dismiss (#53) be and is **GRANTED**. This cause of action is hereby **DISMISSED** as to all claims against defendant Ernst & Young, L.L.P.

Dated this 30th day of September, 2005.



SENIOR UNITED STATES DISTRICT JUDGE